



Case No. 30862.CIP

IFW

**THE COMMISSIONER OF PATENTS
AND TRADEMARKS**

Alexandria, VA 22313-1450

Transmitted herewith for filing in the patent application of:

Inventors: Roger Morris et al.
For: Food Borne Pathogen Sensor and Method
Serial No.: 10/799,312
Filed: March 12, 2004

Enclosed are:

- ☒ Citation Under 37 CFR § 1.97 (IDS)
- ☒ Form PTO- 1449 + copies of cited references

- ☒ The Commissioner is authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

July 27, 2004

Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

ROGER MORRIS ET AL.

Serial No. **10/799,312**

Filing Date: **March 12, 2004**

For: **FOOD BORNE PATHOGEN SENSOR
AND METHOD**

Art Unit: **1771**

Attorney Docket No.
30862.CIP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

In compliance with 37 C.F.R. §1.97(b), it is respectfully requested that the Information Disclosure Statement (Form PTO/SB/08A) attached hereto be entered and the references listed thereon be considered by the Examiner and made of record. Copies of the listed references are enclosed.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 28th day of July, 2004.

Edward Bradley



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete If Known	
				Application Number	10/799,312
				Filing Date	3/12/2004
				First Named Inventor	Roger Morris
				Group Art Unit	1771
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	30862.CIP

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	6,589,761		Freadman et al.	07/08/2003	
	AB	6,379,908		Bodenhamer	04/30/2002	
	AC	6,376,204		Bodenhamer	04/23/2002	
	AD	US 2002/0044891		Miller et al.	04/18/2002	
	AE	US 2002/0045200		Bodenhamer	04/18/2002	
	AF	US 2001/0021531		Goldsmith	09/13/2001	
	AG	6,270,724		Woodaman	08/07/2001	
	AH	6,051,388		Bodenhamer	04/18/2000	
	AI	5,965,061		Larsson et al.	10/12/1999	
	AJ	5,869,341		Woodaman	02/09/1999	
	AK	5,795,773		Read et al.	08/18/1998	
	AL	5,756,356		Yanagi et al.	05/26/1998	
	AM	5,667,303		Arens et al.	09/16/1997	
	AN	5,653,941		Veretto et al.	08/05/1997	
	AO	5,601,998		Mach et al.	02/11/1997	
	AP	5,439,648		Balderson et al.	08/08/1995	
	AQ	5,407,829		Wolfbeis et al.	04/18/1995	
	AR	5,372,936		Fraatz et al.	12/13/1994	
	AS	5,182,212		Jalinski	01/26/1993	
	AT	5,124,128		Hildenbrand et al.	06/23/1992	
	AU	5,096,813		Krumhar et al.	03/17/1992	
	AV	5,094,955		Calandra et al.	03/10/1992	
	AW	5,063,178		Toomey	11/05/1991	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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		Number	Kind Code ² (if known)			
	AX	5,057,434		Prusik et al.	10/15/1991	
	AY	5,057,430		Newman	10/15/1991	
	AZ	5,053,339		Patel	10/01/1991	
	BA	5,045,283		Patel	09/03/1991	
	BB	4,971,762		Bather	11/20/1990	
	BC	4,945,060		Turner et al.	07/31/1990	
	BD	4,746,616		Honigs et al.	05/24/1988	
	BE	4,557,900		Heitzmann	12/10/1985	
	BF	4,023,934		Spinner et al.	05/17/1977	
	BG	4,003,709		Eaton et al.	01/18/1977	
	BH	3,966,414		Khattab et al.	06/29/1976	
	BI	3,899,295		Halpern	08/12/1975	
	BJ	3,067,015		R.F. Lawdermilt	12/04/1962	

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		Office	Number ⁴	Kind Code ⁵ (If known)				
	BK	EP	1 054 257		Terumo Cardiovascular Systems Corporation	11/22/2000		
	BL	WO	93/07483		Merck	04/15/1993		
	BM	WO	92/17768		Environmental Test Systems, Inc.	10/15/1992		
	BN	JP	3 297397		Shokunin Kogy	12/1999		
	BO	WO	79/01081		Battel Le Memeorial Institute	12/13/1979		
	BP	JP	48294		Toppan	09/22/1977		
	BQ	GB	902,018		Hygrade Food Products Corporation	07/25/1962		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or county where published.	T ²
	BR	CAROL LEWIS, "Food Freshness and 'Smart' Packaging"; FDA Consumer/September-October 2002;pgs. 25-29	

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